nance of the system of State highways of Texas from a source of income other than ad valorem taxes; and providing for compensation and reimbursement to counties and defined road districts for their aid and assistance to the State in the con-struction of a system of State highways and providing for compensation to the counties and defined road districts of Texas for their interest and equities in the system of State highways; defining the expressions 'defined road district' or 'road district' or 'district' and the expressions 'road' or 'roads,' as used in the act; creating and defining the powers and duties of a Board of County and District Road Indebtedness; creating the County and Road District Highway Fund to be deposited with the State Treasurer from time to time out of one-fourth (1) of the occupation or excise tax on the business of selling gasoline, and providing for the use and application of said moneys and the manner in which and the purposes for which same shall be so used and applied; providing for an appropriation of all moneys deposited to the credit of said fund with the State Treasurer up to September 1, 1933, for the payment of principal and interest on eligible obligations therein defined of the counties and road districts of the State maturing from January 1, 1933, to September 1, 1933, and providing that each year thereafter until all of such eligible obligations of said counties and road districts of the State are fully paid, all moneys comfind it correctly enrolled. ing in to the credit of said County and Road District Highway Fund and all moneys remaining therein from the previous year shall be sub-ject to appropriation for the pay-ment of principal and interest maturing from time to time on said eligible obligations; providing that no provision of this act shall be construed to authorize the giving or lending of the credit of the State to any county or district or to pledge the credit of the State for the payment of any outstanding road indebtedness of the counties or districts of the State and providing that all eligible obligations shall remain obligations of the respective counties or districts which issued them, and providing that the State of Texas does not assume the payment of any of such obligations; providing that any portion of this act that may be and was called to order by Speaker declared invalid shall not affect other | Minor.

portions; providing for the repeal of any conflicting provisions of the statutes, and declaring an emergency.

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room, Austin, Texas, September 7, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America passed by the Seventy-second Congress of the United States of America at its First Session, begun and held at the city Washington on Monday, seventh day of December, one thousand nine hundred and thirty-one, which amendment, in substance, provides and fixes the commencement of the terms of President and Vice-President and members of Congress and fixes the time of the assembling of Congress, and that said amendment shall take effect on the fifteenth day of October following its ratification; and providing further that this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution within seven years from the date of submission to the States by Congress.

Have carefully compared same and

COX of Lamar, Chairman.

Committee Room, Austin, Texas, September 7, 1932. Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 7, Memorializing Congress to pass Soldiers' Bonus Bill, Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

# SIXTH DAY.

(Continued.)

(Thursday, September 8, 1932.)

The House met at 9:30 o'clock a. m.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced Wednesday, September 7, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

# By Mr. Laird:

H. B. No. 69, A bill to be entitled "An Act permitting the trapping of fur-bearing animals in Angelina county during the months of December and January; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

# By Mr. Laird:

H. B. No. 70, A bill to be entitled "An Act to amend Chapter 22 of the Acts of the First Called Session of the Forty-second Legislature, the same being an act to conserve fish in Angelina, Attoyac, Sabine and Neches rivers and their tributaries in certain counties; providing penalties for violations of this act; permitting the use of nets of certain size, and declaring an emergency.

Referred to Committee on Game and Fisheries.

# By Mr. McDougald:

H. B. No. 71, A bill to be entitled "An Act validating all the proceedings had and taken in the organization of conservation and reclamation districts organized under the provisions of Chapter 8, Title 128, Revised Statutes of 1925, and Chapter 6, Title 128, Revised Statutes of 1925, under Section 59, Article 16, of the Constitution of Texas; validating the manner in which taxes and assessments for taxation should or shall be made, levied and collected; validating the issuance of bonds of such districts and the appointment and qualification of officers and supervisors thereof, etc., and declaring an emergency."
Referred to the Committee on Con-

servation and Reclamation.

By Mr. Wagstaff, Mr. Stevenson, Mr. Davis, Mr. Johnson of Dimmit, Mr. Ratliff, Mr. McGill, Mr. Hubbard, Mr. Metcalfe, Mr. Satterwhite and Mr. Pope:

H. B. No. 72, A bill to be entitled "An Act requiring the Land Commis-

due the State and by whom due under the operation, terms and conditions of Chapter 81, printed Acts of the Second Called Session of the Thirty-sixth Legislature, and the amendment thereof by the First Called Session of the Thirty-seventh Legislature, which acts are generally referred to as the Relinquishment Act, authorizing the Land Commissioner to settle and compromise such debts with the debtors on the basis of actual amounts found due less all just and lawful credits, etc.'

Referred to Committee on Public

Lands and Buildings.

By Mr. Wagstaff, Mr. Davis, Mr. Johnson of Dimmit, Mr. Ratliff, Mr. McGill, Mr. Metcalfe, Mr. Satterwhite and Mr. Pope:

H. B. No. 73, A bill to be entitled "An Act confirming and validating repurchases of public free school and asylum lands by forfeited land owners heretofore made under Chapter 94, page 267, Acts of 1925, and Chapter 25, page 43, Acts of First Called Session of the Thirty-ninth Legisla-ture of 1926; defining the rights of the State and the repurchasing land owners in respect to the ownership of the oil and gas and other minerals therein, etc."

Referred to Committee on Public Lands and Buildings.

By Mr. Wagstaff, Mr. Stevenson, Mr. Davis, Mr. Johnson of Dimmit, Mr. Ratliff, Mr. McGill, Mr. Hubbard, Mr. Metcalfe, Mr. Satterwhite and Mr. Pope:

H. B. No. 74, A bill to be entitled "An Act amending Article 5326, Revised Civil Statutes, providing that the failure to pay any portion of the interest on the unpaid purchase money of lands sold by the State shall subject the sale of said land to forfeiture; providing where such sale is forfeited for the resale of said land, etc."

Referred to Committee on Public Lands and Buildings.

#### By Mr. Hoskins:

H. B. No. 75, A bill to be entitled "An Act validating all road bonds heretofore voted by any political subdivision or road district under Section 52 of Article 3 of the Constitution, and which bonds have not been issued and sold; authorizing the commissioners' sioner to ascertain and determine the court of the county, including such amounts of bonus and rental money subdivision or road district, to pass

all orders necessary in respect of the sale of such road bonds and to levy ad valorem taxes on all taxable property in such subdivision or district in payment thereof, etc."

Referred to Committee on Highways and Motor Traffic.

# By Mr. Magee and Mr. Adkins:

H. B. No. 76, A bill to be entitled "An Act creating the Special District Court of Upshur county and Smith county, Texas; prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; providing for the transfer of cases from the Seventh Judicial District Court to said Special District Court and from said Special District Court to the court of the Seventh Judicial District, etc., and declaring an emergency."

Referred to Committee on Judicial

Districts.

By Mr. Patterson, Mr. Minor, Mr. Van Zandt and Mr. Adamson:

H. B. No. 77, A bill to be entitled "An Act providing for the issuance of a permit for the propagation of wild pheasants and the sale of same; providing necessary regulations and penalty for the violation of this act, and declaring an emergency."

Referred to Committee on Game

and Fisheries.

#### MESSAGE FROM THE GOVERNOR.

The Speaker laid before the House and had read the following message from the Governor:

Executive Office, Austin, Texas, September 7, 1932. To the Members of the Forty-second Legislature.

I hand you herewith for your consideration the attached bill, captioned as follows:

An Act validating all the proceedings had and taken in the organization of conservation and reclamation districts organized under the provisions of Chapter 8, Title 128, Revised Statutes of 1925, and Chapter 6, Title 128, Revised Statutes of 1925, under Section 59, Article 16, of the Constitution of Texas; validating the tricts, certain maturity of certain manner in which taxes and assess- bonds; declaring that such payments

ments for taxation should or shall be made, levied and collected; validating the issuance of bonds of such districts and the appointment and qualification of officers and supervisors thereof; authorizing the submission of the several purposes for which bonds may be issued as a single proposition; and providing that bonds to be retired and refunded may have been issued by a navigation district embracing the same territory; and validating all bonds which have heretofore been voted as a single proposition for the several purposes authorized herein when said bonds have been examined and approved by the Attorney General of the State of Texas, and declaring an emergency.

> Respectfully submitted, R. S. STERLING. Governor.

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, September 8, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

- S. B. No. 11, A bill to be entitled "An Act providing relief for the West Columbia Independent School District, Brazoria county, Texas, in order to aid said school district in rebuilding its property and equipment destroyed by the great hurricane which swept over the district on August 13, 1932; making an appropriation to said district for said purpose, and declaring an emergency."
- S. B. No. 12, A bill to be entitled "An Act providing relief for the Brazoria Independent School District of Brazoria county, Texas, in order to aid said school district in rebuilding and repairing its schools destroyed by the hurricane which covered the territory in which this district is located on August 13, 1932; making an appropriation to aid said district for said purpose, and declaring an emergency.'

S. C. S. for

S. B. No. 4, A bill to be entitled "An Act declaring a State policy of payment for the use of roads used as part of the State Highway System; providing that the State shall pay in behalf of counties and/or road dis-

shall not be for the benefit of bondholders and that the State does not assume any bonds; providing the method of determination of the amounts expended by counties and/or road districts and the method of paying such amounts; providing certain duties of certain officers; defining 'bonds,' defining 'construction,' defining 'roads'; providing penalty, and declaring an emergency.

> Respectfully, BOB BARKER, Secretary of the Senate.

HOUSE BILL NO. 47 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business on its passage to engrossment,

H. B. No. 47, A bill to be entitled "An Act to provide: (a) To confer on the State of Texas the right to appeal from awards made by commissioners to appraise damages, and/or, judgments of courts, in condemnation proceedings: (b) Providing the conditions upon which the State may have the writ of possession pending final determination of proceedings in condemnation, and making adequate provision to protect the right of private persons and their property con-cerning the prompt payment of final awards in condemnation proceedings," etc.

The bill having been read second time on yesterday.

(Mr. McGill in the chair.)

Mr. Beck offered the following amendment to the bill:

Amend House bill No. 47 by striking out all after the enacting clause. and substituting therefor the follow-

"Section 1. In condemnation proceedings being prosecuted by water control and improvement districts, which have been established, or which may be hereafter established to be 'municipal districts' under this pro-vision of Section 18 of Chapter 280 of the Acts of the Forty-first Legislature of Texas, Regular Session, such districts shall not be required to give bond for appeal or bond for costs.

"Sec. 2. In case such plaintiff water control and improvement district desires the writ of possession pending appeal in a condemnation

press conditions, viz.: The amount of the award made by the commissioners to appraise damages, or the amount of the judgment rendered by the trial court upon appeal (to be controlled by the time at which the writ of possession may be sought), together with the amount of the costs, if any, which may have been awarded, or adjudged, against the condemnor, and to be ascertained as of the day on which the writ of possession may be sought, must actually be available to the condemnor in lawful money of the United States of America. sum as ascertained and available to the condemnor shall be set apart in a special fund in the lawfully designated and qualified depository of the condemnor, where it must remain to abide the final adjudication of such condemnation, and application to the satisfaction of such final decree; or, in case of appeal by the condemnee. to be paid to him should he (they or it) elect to receive such money in satisfaction of his (their or its) demand at any time prior to such final adjudication, and such fund shall not be paid out for any other purpose. The record of the deposit and the conditions thereof shall be acknowledged in writing by the depositary, and such certificate of deposit shall be filed with the clerk of the court of original jurisdiction as part of the record in the condemnation proceedings. Thereupon the clerk of said court shall certify his genuine official signature or those of his qualified deputies to such depositary, and the depositary may not pay vouchers drawn upon such special fund save upon written approval of the judge and clerk of said court and also the condemnee. Until such special deposit has been made and certified to said clerk, as herein provided, the writ of possession shall not be issued. Whenever the judgment in condemnation becomes final, or should the condemnee prior to final judgment elect to receive the amount of the award in satisfaction of his demand, it instantly shall be the duty of the clerk of the court and the depositary to pay to the condemnee the sum of the deposit (other than that to cover costs), which may be done either with or without the consent of the condemnor. Any officer, or employee of the condemnor and/or, any officer of employee of such depositary of the condemnor, and/or, the clerk of proceeding being prosecuted by it, such court (or his deputy), who such writ may be issued on these ex- knowingly permits such special fund

to be paid out, in whole or in part, for any purpose, or in manner, other than as herein provided, shall be deemed to be guilty of a felony, and upon conviction he may be fined in any sum not to exceed five thousand (\$5,000) dollars, or he may be imprisoned in the penitentiary of Texas for a term not to exceed three years, and such punishment may include both such fine and such imprisonment. In any event the sureties on the bond of such miscreant, and/or, the bond or security of the offending depositary, shall have responsibility to restore the misapplied or diverted deposit, provided the sum so required, together with other lawful charges against the bond, does not exceed the penal sum of the bond, or the security held in lieu of sureties.

"Sec. 3. To the extent which any other statutory acts (either general or special) of this State may conflict herewith, they hereby are repealed.

"Sec. 4. It is deemed that there is not now adequate security for funds required to be deposited by such water control and improvement districts where they have need for the writ of possession pending appeals in con-demnation. This fact together with the close approach of the adjourn-ment of this session of the Legislature, create an emergency and imperative public necessity that this act be in force with the least avoidable delay. Wherefore, this Legislature hereby suspends the constitutional rule requiring that bills be read on three several days (as provided by Section 39 of Article 3 of the Consti-tution of Texas), and this act shall have full effect from the day upon which there appear hereon the certifying signature of the respective presiding officers of the two houses of this Legislature, subject only to the constitutional right of the Governor of Texas to veto this act."

On motions of Mr. Lemens, the bill was re-referred to the Judiciary Committee.

(Speaker in the chair.)

# SPECIAL ORDER SET.

Mr. Burns of McCulloch moved that House bill No. 32 be set as a special order for 4 o'clock p. m. today.

The motion prevailed.

# SENATE BILL NO. 1 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 1, A bill to be entitled "An Act amending Article 517 of the Revised Civil Statutes of the State of Texas as set out in the Acts of 1927, Fortieth Legislature, regulating the pledging of securities of State banking corporations and permitting them to pledge such securities to the Reconstruction Finance Corporation, and declaring an emergency."

The bill was read second time and was passed to third reading.

# SENATE BILL NO. 1 ON THIRD READING.

Mrs. Hughes moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 1 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-103.

Gilbert. Adamson. Adkins. Giles. Goodman. Akin. Albritton. Greathouse. Alsup. Grogan. Baker. Hanson. Harman. Barron Bedford. Harrison of El Paso. Boyd. Bradley. Harrison of Waller. Brice. Hefley. Bryant. Herzik. Carpenter. Hill. Coltrin. Hines. Coombes. Cox of Lamar. Hoskins. Cox of Limestone. Howsley. Hubbard. Cunningham. Hughes. Dale. Daniel. jackson. Davis. Johnson  $\mathbf{Dodd}$ . of Dallam. Jones of Shelby. Donnell. Dowell. Jones of Atascosa. Kennedy. Elliott. Engelhard. Laird. Lasseter. Farmer. Farrar. Lee. Lemens. Ferguson. Forbes. Leonard. Fuchs. Lilley.

Cox of Lamar.

Satterwhite. Lockhart. Shelton. Long. McDougald. Sherrill. Smith of Bastrop. Smith of Wood. McGill. Magee. Mathis. Sparkman. Stephens. Metcalfe. Moffett. Steward. Strong. Мооге. Munson. Sullivant. Murphy. Terrell of Val Verde. Nicholson. Towery. Olsen. O'Quinn. Turner. Vaughan. Patterson. Petsch. Walker. Warwick. Pope Ratliff. Weinert. West of Corvell. Ray. Reader. West of Cameron. Richardson. Wiggs. Rogers. Young.

#### Absent.

Rountree.

Adams of Jasper. Johnson of Dimmit. Anderson. Beck. Justiss. Bond. Kayton. Brooks. McCombs. Burns of Walker. McGregor. Burns Martin. of McCulloch. Mehl. Caven. Morse. Claunch. Ramsey. Dunlap. Sanders. Duvall. Scott. Dwyer. Stevenson. Finn. Tarwater. Fisher. Terrell of Cherokee. Van Zandt. Ford. Graves. Wagstaff. Hardy. Holder. Westbrook. Holland. Wyatt. Holloway.

#### Absent—Excused.

Adams of Harris. Keller. Bounds. Savage.

The Speaker then laid Senate bill No. 1 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas-109.

Adams of Jasper. Bedford. Adamson. Boyd. Adkins. Bradley. Akin. Brice. Albritton. Bryant. Alsup. Carpenter. Baker. Coltrin. Barron. Coombes.

Long. McDougald. Cox of Limestone. Cunningham. McGill. Dale. McGregor. Daniel. Magee. Davis. Mathis. Metcalfe. Dodd. Donnell. Moffett. Dowell. Moore. Munson. Duvall. Elliott. Murphy. Engelhard. Nicholson. Farmer. Olsen. Farrar. O'Quinn. Patterson. Ferguson. Forbes. Petsch. Pope. Fuchs. Ratliff. Gilbert. Ray. Giles. Richardson. Goodman. Greathouse. Rogers. Rountree. Grogan. Hanson. Sanders. Satterwhite. Harman. Harrison Scott. of El Paso. Shelton. Harrison Sherrill. Smith of Bastrop. Smith of Wood. of Waller. Hefley. Herzik. Sparkman. Hill. Stephens. Hines. Steward. Holloway. Strong. Howsley. Sullivant. Hubbard. Terrell of Cherokee. Hughes. Terrell Jackson. of Val Verde. Johnson of Dallam. Towery. Jones of Shelby. Turner. Jones of Atascosa. Vaughan. Kayton. Wagstaff. Laird. Walker. Lasseter. Warwick. Weinert. West of Coryell. Lee. Lemens. Leonard. West of Cameron.

# Present-Not Voting.

Wiggs.

Young.

Kennedy.

Lockhart.

Lilley.

# Absent.

Fisher.
Ford.
Graves.
Hardy.
Holder.
Holland.
Hoskins.
Johnson
of Dimmit.
Justiss.
McCombs.
Martin.

Mehl. Morse. Ramsey. Reader. Stevenson. Tarwater. Van Zandt. Westbrook. Wyatt.

#### Absent—Excused.

Adams of Harris. Bounds.

Keller. Savage.

# SENATE BILL NO. 2 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

S. B. No. 2, A bill to be entitled "An Act amending Article 515 of the Revised Civil Statutes of the State of Texas, limiting the indebtedness of State banking corporations, but permitting same to borrow in excess of this amount from the Reconstruction Finance Corporation, and declaring an emergency."

The bill was read second time and was passed to third reading.

# SENATE BILL NO. 2 ON THIRD READING.

Mrs. Hughes moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

# Yeas-115.

Adams of Harris. Dodd. Adamson. Donnell, Dowell. Adkins. Akin. Elliott. Albritton. Engelhard. Alsup. Farmer. Anderson. Farrar. Baker. Ferguson. Bedford. Forbes. Bond. Fuchs. Boyd. Gilbert. Bradley. Giles. Brice. Goodman. Bryant. Graves. Burns of Walker. Greathouse. Carpenter. Grogan. Coltrin. Hanson. Coombes. Harman. Cox of Lamar. Harrison Cox of Limestone. of Waller. Hefley. Cunningham. Dale. Herzik. Daniel. Hill. Davis. Hines.

Holder. Petsch. Holloway. Pope. Ratliff. Hoskins. Howsley. Ray. Hubbard. Reader. Hughes. Richardson. Jackson. Rogers. Johnson Rountree. of Dallam. Sanders. Johnson Satterwhite. of Dimmit. Shelton. Jones of Shelby. Sherrill. Smith of Bastrop. Smith of Wood. Jones of Atascosa. Kayton. Keller. Sparkman. Kennedy. Stephens. Laird. Stevenson. Lasseter. Steward. Strong. Lee. Lemens. Sullivant. Leonard. Terrell Lilley. of Val Verde. Lockhart. Towery. Long. Turner. McDougald. Van Zandt. McGill. Vaughan. Magee. Wagstaff. Mathis. Walker. Moffett. Warwick. Weinert. Moore. West of Coryell. Munson. West of Cameron. Murphy.

### Absent.

Wiggs.

Wyatt.

Young.

Adams of Jasper. Harrison of El Paso. Barron. Holland. Beck. Brooks. Justiss. McCombs. Burns of McCulloch. McGregor. Caven. Martin. Mehl. Claunch. Metcalfe. Dunlap. Duvall. Morse. Ramsey. Dwyer. Finn. Scott. Fisher. Tarwater. Terrell of Cherokee. Ford. Hardy. Westbrook.

#### Absent—Excused.

Bounds.

Nicholson.

O'Quinn.

Patterson.

Olsen.

Savage.

The Speaker then laid Senate bill No. 2 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas-119.

Adams of Harris. Adamson. Adams of Jasper. Adkins.

Kayton. Akin. Albritton. Keller. Alsup. Kennedy. Laird. Anderson. Baker. Lasseter. Lee. Barron. Beck. Lemens. Bedford. Leonard. Lilley. Boyd. Bradley. Lockhart. Brice. Long. McDougald. Bryant. Burns of Walker. McGill. Carpenter. Magee. Coltrin. Mathis. Coombes. Metcalfe. Cox of Lamar. Moffett. Cox of Limestone. Moore. Cunningham. Munson. Dale. Murphy. Nicholson. Daniel. Davis. Olsen. Dodd. O'Quinn. Donnell. Patterson. Dowell. Petsch. Elliott. Pope. Ratliff. Engelhard. Farmer. Ray. Farrar. Reader. Ferguson. Richardson. Forbes. Rogers. Fuchs. Rountree. Gilbert. Sanders. Giles. Satterwhite. Goodman. Scott. Graves. Shelton. Greathouse. Sherrill. Grogan. Smith of Bastrop. Hanson. Smith of Wood. Harman. Sparkman. Harrison Stephens. of El Paso. Stevenson. Harrison Steward. of Waller. Strong. Hefley. Sullivant. Herzik. Terrell Hill. of Val Verde. Towery. Hines. Holder. Turner. Holloway. Van Zandt. Hoskins. Vaughan. Hubbard. Wagstaff. Hughes. Walker. Jackson. Warwick. Weinert. Johnson of Dallam. West of Coryell. Johnson West of Cameron. of Dimmit. Wiggs. Jones of Shelby. Wyatt. Jones of Atascosa. Young.

# Absent.

Bond. Claunch.
Brooks. Dunlap.
Burns Duvall.
of McCulloch. Dwyer.
Caven. Finn.

Martin. Fisher. Ford. Mehl. Hardy. Morse. Ramsey. Holland. Howsley. Tarwater. Terrell Justiss. of Cherokee. McCombs. Westbrook. McGregor.

#### Absent-Excused.

Bounds.

Savage.

HOUSE BILL NO. 48 ON SECOND READING.

(By Unanimous Consent.)

On motion of Mr. Satterwhite, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 48, A bill to be entitled "An Act providing for the execution of surety company bonds by county tax collectors in special cases, providing for the payment of premium on those bonds in certain counties; and providing for weekly remittances of county and State taxes by county tax collectors, and special reports by tax collectors and county depositories to be furnished upon the request of the Comptroller or the commissioners court as to funds in their hands and special remittances thereof to safeguard funds in their hands and protect their bondsmen, providing penalties, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Satterwhite offered the following (committee) amendment to the bill:

Committee Amendment No. 1 to House bill No. 48.

. Amend House bill No. 48 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 7247 of the Revised Civil Statutes of 1925 be amended to read as follows:

"Article 7247. Bond for State Taxes.—Each collector of taxes, within twenty days after he shall have received notice of his election or appointment, and before entering upon the duties of his office, shall give bond based upon unincumbered real estate of the sureties, subject to execution, payable to the Gov-

ernor and his successors in office, in a sum which shall be equal to ten per cent of the whole amount of the State tax of the county as shown by the last preceding assessment, provided said bond shall not be less than ten thousand, nor exceed fifty thousand dollars, with at least three good and sufficient sureties, to be approved by the commissioners court of his county, which shall be further subject to the approval of the Comptroller, and his official oath together with said bonds shall be recorded in the office of the county clerk of said county, and be forwarded by the county judge of the county to the Comptroller, to be deposited in his office. Said bond shall be conditioned for the faithful performance of the duties of his office as collector of taxes for and during the full term for which he was elected or appointed.

"Whenever the tax collector of any county is required to give a separate bond to cover district taxes collected by him, such bond shall be approved by the governing board or commission of such districts, and the premium on same shall be paid out of first collections for such districts.

"Sec. 2. That Article 7249 be amended to read as follows:

"Article 7249. Bond for County Taxes.—Collectors of taxes shall give a like bond, with like condition to the county judge of their respective counties and their successors in office in a sum not less than ten per cent of the whole amount of the county tax, as shown by the last preceding assessment, provided said bond shall not be less than ten thousand, nor exceed fifty thousand dollars, with at least three good and sufficient sureties, to be approved by the commissioners court of his county. A new bond and additional security may be required, and for failure to give such new bond or additional security, the collector of taxes may be removed from office in the manner prescribed by law. In the event the bonds required in this article, and also Article 7247, or either thereof, are executed by a satisfactory surety company or companies lic officers, highway contractors, and or by any private party or parties gas tax bonds, has increased the as surety or sureties thereon in premium upon such bonds to an excounties with a total taxable valua-tion of thirty million dollars or more, almost impossible for a tax collector the county of which the principal in to make a surety company bond; and

said bond or bonds is tax collector shall pay a reasonable amount as premium on said bond or bonds, which amount shall be paid out of the general revenue of the county upon presentation of the bill therefor to the commissioners court of the county, properly authenticated as required by law in other claims against the county. If there be any controversy as to the reasonableness of the amount claimed, as such premium, such controversy may be determined by any court of competent jurisdiction.

"Sec. 3. That a new article be added to the 1925 Revised Civil Statutes to be known as Article 7249a, to read as follows:

"Article 7249a. On Monday of each week each county tax collector shall pay over to the county treasurer ninety per cent of all taxes collected for the county during the preceding week, and pay over to the State Treasurer ninety per cent of all taxes col-lected for the State during the preceding week.

"The commissioners court of any county, or the Comptroller of Public Accounts, may at any time in their discretion call upon the tax collector for a sworn statement as to the amount of his collections made during the current month, and for an estimate as to the amount of taxes in the county depository belonging to the county or State, and direct that ninety per cent of those funds be transferred to the county or State Treasury. The commissioners court or the Comptroller may at any time require a sworn statement from the depository as to the amount of funds in their hands under the control of the tax collector. Failure or refusal of a tax collector to make the remittances as provided in this act within three days from the date due, or to render the statements required herein, within three days after receiving notice to do so, shall constitute a misdemeanor and shall be punished by a fine not to exceed two hundred dollars.

"Sec. 3. This act is cumulative of all other laws upon the same subject.

"Sec. 4. The fact that recent losses suffered by surety companies on pubthe further fact that by providing for frequent remittances of tax funds during the heavy collection period will protect State and county tax funds creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, be, and the same is hereby suspended, and that this act shall take effect and be in force on and after its passage, and be it so enacted."

Mr. Satterwhite offered the following amendment to the (committee) amendment:

Amend (committee) amendment No. 1 of House bill No. 48, page 1, line 13, by striking out the words "be less than ten thousand, nor"; also page 2, line 2, by striking out the words "be less than ten thousand, nor."

The amendment was adopted.

Mr. Satterwhite offered the following amendments to the (committee) amendment:

**(1)** 

Amend (committee) substitute for House bill No. 48 by striking out the words "and also Article 7247, or either thereof" from line 8, page 2.

(2)

Amend (committee) substitute for House bill No. 48 by adding after line 22 of page 1, the following: "In the event the bonds required in this article are executed by a satisfactory surety company or companies or by any private parties as surety or sureties thereon in counties with a total taxable valuation of thirty million dollars or more, the county of which the principal in said bond or bonds is tax collector shall pay a reasonable amount as premium on said bond or bonds, which amount shall be paid out of the general revenue of the county upon presentation of the bill therefor to the commissioners court of the county, properly authenticated as required by law in other claims against the county. If there be any controversy as to the reasonableness of the amount claimed, as such premium, such controversy may be determined by any court of competent jurisdiction."

The amendments were severally adopted.

Mr. Young offered the following amendment to the (committee) amendment:

Amend (committee) amendment to House bill No. 48 by striking out lines 23 to 27, inclusive, page 2, of said amendment and insert in lieu thereof the following:

"Article 7249a. Each county tax colector, whenever he shall have collected during any month for the county an amount equal to one-half of the amount of his county bond and for the State an amount equal to one-half of the amount of his State bond, shall immediately and at the same time pay over to the county treasurer ninety per cent of the total amount collected for the county, and pay over to the State Treasurer ninety per cent of the total amount collected for the State, provided that said payments shall not be required oftener than once a week, but at least once each month, except as otherwise provided by this act."

The amendment was adopted.

Mr. Young offered the following amendment to the (committee) amendment:

Amend (committee) amendment to House bill No. 48, page 3, line 2 of said page, by striking out all of line 2 after the word "failure" down to and including the word "due," in line 4, and insert in lieu thereof the following: "Failure or refusal of the tax collector to make the remittances as provided in this act within three days from the date he shall have collected for the State and county amounts equal to one-half of the respective bonds."

The amendment was adopted.

The (committee) amendment as amended was then adopted.

Mr. Satterwhite offered the following (committee) amendment to the bill:

Committee Amendment No. 2 to House Bill No. 48.

Amend House bill No. 48 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled, An Act providing for the amount of bond required to be given by county tax collectors providing for the payment of premium on bonds for special district taxes; and providing for weekly remittances of county and State taxes by county tax collectors, and special reports by tax collectors and county depositories to be furnished upon the request of the Comptroller or the com-

missioners court as to funds in their hands and special remittances thereof to safeguard funds in their hands and protect their bondsmen, providing penalties, and declaring an emergency."

Mr. Young offered the following amendment to the (committee) amendment:

Amend (committee) amendment No. 2 to House bill No. 48, page 3, line 28, by striking out the word "weekly" in said line.

The amendment by Mr. Young was adopted.

The (committee) amendment as amended was then adopted.

House bill No. 48 was then passed to engrossment.

# HOUSE BILL NO. 48 ON THIRD READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

### Yeas-110.

Adams of Jasper. Engelhard. Adamson. Farmer. Adkins. Farrar. Akin. Ferguson. Albritton. Finn. Alsup. Forbes. Fuchs. Anderson. Baker. Gilbert. Barron. Giles. Bedford. Goodman. Bond. Graves. Boyd. Greathouse. Bradley. Hanson. Brice. Hardy. Brooks. Harrison of El Paso. Bryant. Burns of Walker. Hefley. Burns Hill. of McCulloch. Hines. Carpenter. Holder. Caven. Holland. Coltrin. Holloway. Coombes. Hoskins. Cox of Lamar. Howsley. Cox of Limestone. Hughes. Cunningham. Jackson. Daniel. Johnson Davis. of Dimmit. Dodd. Jones of Shelby. Donnell. Jones of Atascosa. Duvall. Justiss. Elliott. Kennedy.

Laird. Rountree. Lee. Satterwhite. Lemens. Scott. Leonard. Shelton. Lilley. Sherrill. Long. McCombs. Smith of Bastrop. Smith of Wood. McDougald. Sparkman. McGill. Stephens. Magee. Stevenson. Mathis. Steward. Metcalfe. Strong. Moffett. Sullivant. Terrell Moore. of Cherokee. Van Zandt. Morse. Munson. Vaughan. Murphy. Wagstaff. Patterson. Petsch. Walker. Weinert. Pope. West of Coryell. Ramsey. West of Cameron. Ratliff. Wiggs. Ray. Reader. Wyatt. Rogers. Young.

### Nays-2.

Nicholson.

Turner.

#### Absent.

Beck. Kayton. Claunch. Lasseter. Lockhart. Dale. Dowell. McGregor. Martin. Dunlap. Mehl. Dwyer. Fisher. Olsen. O'Quinn. Ford. Richardson. Grogan. Sanders. Harman. Tarwater. Harrison of Waller. Terrell Herzik. of Val Verde. Towery. Hubbard. Warwick. Johnson Westbrook. of Dallam.

#### Absent-Excused.

Adams of Harris. Keller. Bounds. Savage.

The Speaker then laid House bill No. 48 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas-113.

Adams of Jasper.
Adamson.
Adkins.
Akin.
Albritton.
Alsup.
Baker.
Barron.
Bedford.
Bond.
Boyd.
Bradley.
Brice.
Brooks.

Lee. Bryant. Burns of Walker. Lemens. Burns Leonard. of McCulloch. Lilley. Carpenter. Lockhart. Long. McCombs. Caven. Coltrin. McDougald. Coombes. Cox of Lamar. Cox of Limestone. McGill. Magee. Cunningham. Mathis. Daniel. Moffett. Davis. Moore. Morse. Dodd. Donnell. Munson. Dowell. Murphy. Duvall. Patterson. Elliott. Petsch. Engelhard. Pope. Farmer. Ramsey. Farrar. Ratliff. Ray. Ferguson. Finn. Reader. Forbes. Rogers. Fuchs. Rountree. Gilbert. Sanders. Satterwhite. Giles. Goodman. Scott. Graves. Shelton. Sherrill. Greathouse. Smith of Bastrop. Grogan. Hanson. Smith of Wood. Hardy. Sparkman. Hefley. Stephens. Stevenson. Herzik. Hill. Steward. Hines. Strong. Holder. Sullivant. Holland. Tarwater. Holloway. Terrell Hoskins. of Cherokee. Van Zandt. Howsley. Hughes. Vaughan. Wagstaff. Walker. Jackson. Johnson of Dimmit. Weinert. Jones of Shelby. West of Coryell. Jones of Atascosa. West of Cameron. Justiss. Wiggs. Kennedy. Wyatt.

#### Nays-2.

Nicholson.

Lasseter.

Turner.

Young.

Present—Not Voting.

# Anderson.

#### Absent.

Beck. Ford.
Claunch. Harman.
Dale. Harrison
Dunlap. of El Paso.
Dwyer. Harrison
Fisher. of Waller.

Hubbard. Olsen. O'Quinn. Johnson of Dallam, Richardson. Kayton. Terrell of Val Verde. Laird. McGregor. Towery. Warwick. Martin. Westbrook. Mehl. Metcalfe.

#### Absent—Excused.

Adams of Harris. Keller. Bounds. Savage.

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, September 8, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 3 and requests the appointment of a conference committee.

The following have been appointed on the part of the Senate:

Senators DeBerry, Rawlings, Small, Poage and Oneal.

Respectfully,
BOB BARKER,
Secretary of the Senate.

# HOUSE BILL NO. 35 WITH SENATE AMENDMENTS.

Mr. Sanders called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 35, A bill to be entitled "An Act regulating the taking of certain fur-bearing animals or their pelts for barter or sale in certain counties, and declaring them to be the property of the State; prescribing penalty for violation, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Sanders moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the ap-

pointment of the following conference committee:

Messrs. Sanders, Jones of Shelby, Murphy, Burns of Walker and Ramsey.

#### HOUSE BILL NO. 34 WITH SEN-ATE AMENDMENTS.

Mr. Jones of Atascosa called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 34, A bill to be entitled "An Act repealing Senate bill No. 56, Chapter 78, page 242, of the General and Special Laws passed at the Fifth Called Session of the Forty-first Legislature of the State of Texas, 1930."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Jones of Atascosa, the House concurred in the Senate amendments by the following vote:

#### Yeas-111.

Adams of Jasper. Forbes. Adamson. Fuchs. Adkins. Gilbert. Akin. Giles. Albritton. Graves. Alsup. Grogan. Anderson. Hanson. Baker. Hardy. Barron. Harrison Bedford. of El Paso. Hefley. Bond. Boyd. Herzik. Bradley. Hill. Brice. Hines. Holland. Brooks. Bryant. Holloway. Burns of Walker. Hoskins. Burns Howsley. of McCulloch. Hughes. Carpenter. Jackson. Caven. Johnson Coltrin. of Dallam. Coombes. Johnson Cox of Limestone. of Dimmit. Cunningham. Jones of Shelby. Jones of Atascosa. Daniel. Davis. Justiss. Dodd. Kennedy. Donnell. Laird. Dowell. Lee. Duvall. Lemens. Elliott. Leonard. Engelhard. Lilley. Farmer. Lockhart. Long. Farrar. McCombs. Ferguson. Finn. McDougald.

McGill. Shelton. Magee. Sherrill. Smith of Bastrop. Mathis. Smith of Wood. Metcalfe. Moffett. Sparkman. Moore. Stephens. Morse. Steward. Strong. Munson. Murphy. Sullivant. Nicholson. Terrell Patterson. of Cherokee. Towery. Petsch. Pope. Vaughan. Wagstaff. Ramsey. Ratliff. Walker. Weinert. Ray. West of Coryell. Reader. West of Cameron. Rogers. Sanders. Wiggs. Wyatt. Savage. Scott. Young.

#### Absent.

Beck. McGregor. Claunch. Martin. Cox of Lamar. Mehl. Dale. Olsen. Dunlap. O'Quinn. Dwyer. Richardson. Fisher. Rountree. Ford. Satterwhite. Goodman. Stevenson. Tarwater. Greathouse. Harman. Terrell of Val Verde. Harrison Turner. of Waller. Holder. Van Zandt. Hubbard. Warwick. Westbrook. Kayton. Lasseter.

#### Absent-Excused.

Adams of Harris. Keller. Bounds.

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, September 8, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 21, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5, of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts

of the First Called Session of the Forty-first Legislaure of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8 of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, and furthermore amended in Chapter 313 of the Acts of the Regular Session of the Forty-second Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the county of and declaring an emer-Reagan, gency."

H. B. No. 22, A bill to be entitled "An Act providing for a closed season in Glasscock county upon quail, doves and pheasants, for a period of three (3) years, and declaring an emergency," with amendment.

H. B. No. 34, A bill to be entitled "An Act repealing Senate bill No. 56, Chapter 78, page 242, of the General and Special Laws passed at the Fifth Called Session of the Fortyfirst Legislature of the State of Texas, 1930," with amendment.

H. B. No. 35, A bill to be entitled "An Act regulating the taking of certain fur-bearing animals or their pelts for barter or sale in certain counties, and declaring them to be the property of the State; prescribing penalty for violation, and declaring an emergency," with amendment.

H. B. No. 38, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the counties of Jasper and Newton, State of Texas, for a period of three years from and after the passage of this act; providing a penalty therefor, and declaring an emergency.'

H. B. No. 39, A bill to be entitled "An Act providing for the open season on squirrels in Jasper and Newton counties; providing a penalty, and declaring an emergency."

H. B. No. 45, A bill to be entitled "An Act providing for an open season on squirrels in Polk and Trinity counties; providing a penalty, and declaring an emergency," with amendments.

S. B. No. 16, A bill to be entitled on State Affairs.

"An Act to enable water control and improvement districts operating under Chapter 25, Acts of the Regular Session of the Thirty-ninth Legislature, and amendments thereof, having gravity systems of irrigation and income from sale of water for generation of hydro-electric power under written contract covering a term of thirty-nine or more years, to create a self-liquidating fund for the purpose of liquidating bonds of such district and paying interest thereon and fiscal agency fees therefor, by allocating and appropriating such power income for such purpose; also, to authorize such districts to assess and collect annually against lands made irrigable by gravity, whether actually irrigated or not, special assessments of not to exceed five dollars per acre, for the purpose of supplementing such self-liquidating fund for liquidation of bonds and paying interest thereon; prescribing procedure of adopting the provisions of this act and the method of assessing and collecting the special assessments herein authorized; providing that the district shall have a lien upon all land assessed to secure payment of all special assessments levied hereunder, also a lien on crops grown thereon, and providing that the owner of such land shall be personally liable for all such assessments, and providing for interest at rate of ten per cent per annum on such assessments from date due until paid and for ten per cent additional as attorneys fees if suit is filed to collect same; repealing acts and parts of acts in conflict herewith, and declaring an emergency."

> Respectfully, BOB BARKER, Secretary of the Senate.

# SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate cómmittees, as follows:

Senate bill No. 16, to the Committee on Conservation and Reclamation.

Senate bill No. 11, to the Committee on Appropriations.

Senate bill No. 12, to the Committee on Appropriations.

Senate bill No. 4, to the Committee

### MESSAGE FROM THE GOVERNOR.

The Speaker laid before the House and had read the following message from the Governor:

Executive Office, Austin, Texas, September 8, 1932. To the Members of the Forty-second Legislature:

I hereby submit for your consideration the following bill, captioned as follows:

An Act to authorize the creation of corporations formed wholly for the purpose of providing housing for families of low income and/or for reconstruction of slum areas; making provisions for the regulation by the governing bodies of municipalities in which the properties of such corporations may be situated as to rents, charges, capital structure, rate of return and areas and methods of operation; making provisions for the powers of such corporations and the fees and taxes to be paid thereby; and making provisions for appeals by such corporations when dissatisfied with the fixing or changing of rents, charges, capital structures, rate of return and area and method of operation, and providing penalties for violation of regulatory measures, and declaring an emergency.

> Respectfully submitted, R. S. STERLING, Governor.

# CONFERENCE COMMITTEE ON SENATE BILL NO. 3 ANNOUNCED.

The Speaker announced the appointment of the following conference committee on Senate bill No. 3:

Messrs. Young, Pope, Morse, Goodman and McGill.

#### RECESS.

On motion of Mr. Wiggs, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

### BILLS ORDERED NOT PRINTED.

On motion of Mr. Carpenter, Senate bills Nos. 11 and 12 were ordered not printed.

On motion of Mr. Terrell of Val Verde, Senate bill No. 16 was ordered not printed.

On motion of Mr. Sanders, House bill No. 43 was ordered not printed.

On motion of Mr. Smith of Wood, House bill No. 60 was ordered not printed.

# HOUSE BILL NO. 45 WITH SENATE AMENDMENTS.

Mr. Sanders called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 45, A bill to be entitled "An Act providing for an open season on squirrels in Polk and Trinity counties; providing penalty, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Sanders, the House concurred in the Senate amendments by the following vote:

#### Yeas-100.

Mr. Speaker. Giles. Greathouse. Adams of Jasper. Adamson. Grogan. Akin. Hanson. Albritton. Harman. Alsup. Hefley. Baker. Herzik. Hill. Barron. Beck. Hines. Holland. Boyd. Brice. Holloway. Burns of Walker. Hoskins. Howsley. Burns of McCulloch. Jackson. Carpenter. Johnson of Dallam. Caven. Coltrin. Johnson of Dimmit. Coombes. Cox of Lamar. Jones of Shelby. Jones of Atascosa. Cunningham. Dale. Justiss. Davis. Kayton. Keller. Dodd. Kennedy. Donnell. Laird. Dowell. Dunlap. Lee. Lemens. Elliott. Engelhard. Leonard. Lilley. Farmer. Lockhart. Farrar. McGill. Ferguson. Magee. Finn. Forbes. Mathis. Ford. Moffett. Fuchs. Moore.

Morse. Sparkman. Munson. Stephens. Murphy. Steward. Sullivant. Olsen. Patterson. Tarwater. Pope. Terrell of Val Verde. Ramsey. Ratliff. Towery. Ray. Van Zandt. Reader. Vaughan. Wagstaff. Walker. Richardson. Rogers. Rountree. Warwick. Sanders. Weinert. West of Coryell. Shelton. Smith of Bastrop. Westbrook. Smith of Wood. Young.

#### Nays-3.

Cox of Limestone. Terrell McDougald. of Cherokee.

#### Present-Not Voting.

Goodman.

#### Absent.

Adkins. Hughes. Anderson. Lasseter. Long. McCombs. Bedford. Bond. Bradley. McGregor. Brooks. Martin. Bryant. Mehl. Claunch. Metcalfe. Daniel. Nicholson. Duvall. O'Quinn. Petsch. Dwyer. Fisher. Satterwhite. Gilbert. Scott. Graves. Sherrill. Hardy. Stevenson. Harrison Strong. of El Paso. Turner. West of Cameron. Harrison of Waller. Wiggs. Holder. Wyatt. Hubbard.

#### Absent—Excused.

Adams of Harris. Savage. Bounds.

# HOUSE BILL NO. 50 ON SECOND READING.

### (By Unanimous Consent.)

On motion of Mr. Pope, the regular order of business was suspeded to take up and have placed on its second reading and passage to engrossment,

H. B. No. 50, A bill to be entitled Engels:
"An Act to amend Chapter 314, Acts Farmer Forty-second Legislature, 1932, being Farrar.

House bill No. 981 (Article 1118a, Vernon Sayles' Revised Civil Statutes, 1925, 1932 Supplement), by adding thereto Section 2a, providing that the requirements of House bill 312, Acts Forty-second Legislature, 1931, Chapter 163, with reference to notice, competitive bids, and the right to referendum shall not apply to cities and towns acting under authority of this act until after June 1, 1933, instead of after June 1, 1932, as provided in House bill 312, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

# HOUSE BILL NO. 50 ON THIRD READING.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-107.

Adams of Jasper. Ferguson. Forbes. Adamson. Fuchs. Adkins. Akin. Gilbert. Albritton. Giles. Alsup. Goodman. Anderson. Graves. Baker. Greathouse. Barron. Hanson. Hardy. Beck. Bond. Harman. Herzik. Boyd. Bradley. Hill. Brice. Hines. Burns of Walker. Holland. Carpenter. Holloway. Caven. Hoskins. Coltrin. Howsley. Hughes. Coombes. Cox of Lamar. Jackson. Cox of Limestone. Johnson of Dallam. Cunningham. Dale. Johnson of Dimmit. Daniel. Jones of Shelby. Davis. Jones of Atascosa. Dodd. Justiss. Donnell. Dowell. Kayton. Dunlap. Kennedy. Elliott. Laird. Engelhard. Lee. Farmer. Lemens. Leonard.

Rountree. Lockhart. McDougald. Satterwhite. McGill. Shelton. Sherrill. McGregor. Smith of Bastrop. Magee. Sparkman. Mathis. Metcalfe. Steward. Moffett. Sullivant. Moore. Terrell Morse. of Val Verde. Towery. Munson. Nicholson. Turner. Van Zandt. Olsen. Patterson. Vaughan. Wagstaff. Petsch. Walker. Pope. Warwick. Ramsey. Ratliff. Weinert. West of Coryell. Ray. Reader. Wiggs. Wyatt. Richardson. Young. Rogers.

# Nays—1.

Ford.

#### Absent.

Lilley. Bedford. Long. McCombs. Brooks. Bryant. Martin. Rurns of McCulloch. Mehl. Claunch. Murphy. O'Quinn. Duvall. Sanders. Dwyer. Finn. Scott. Fisher. Smith of Wood. Stephens. Grogan. Harrison Stevenson. of El Paso. Strong. Tarwater. Harrison of Waller. Terrell Hefley. of Cherokee. West of Cameron. Holder. Hubbard. Westbrook. Lasseter.

#### Absent-Excused.

Adams of Harris. Keller. Savage.

The Speaker then laid House bill No. 50 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas-108.

Adams of Jasper. Baker.
Adamson. Barron.
Adkins. Beck.
Akin. Bond.
Albritton. Boyd.
Alsup. Bradley.
Anderson. Brice.

Carpenter. Keller. Caven. Kennedy. Coltrin. Laird. Coombes. Lee. Cox of Lamar. Lemens. Cox of Limestone. Leonard. Cunningham. Lockhart. Dale. McDougald. McGill. Daniel. Davis. McGregor. Dodd. Magee. Mathis. Donnell. Dowell. Metcalfe. Moffett. Dunlap. Moore. Duvall. Elliott. Morse. Munson. Engelhard. Farmer. Nicholson. Olsen. Farrar. Ferguson. Petsch. Pope. Finn. Forbes. Ramsey. Fuchs. Ratliff. Gilbert. Ray. Reader. Giles. Richardson. Goodman. Graves. Rogers. Greathouse. Rountree. Satterwhite. Hanson. Hardy. Shelton. Smith of Bastrop. Harman. Sparkman. Herzik. Hill. Steward. Tarwater. Hines. Terrell Holder. of Val Verde. Holland. Towery. Holloway. Turner. Hoskins. Van Zandt. Howsley. Vaughan. Hughes. Jackson. Wagstaff. Johnson Walker. of Dallam. Warwick. Weinert. West of Coryell. Johnson of Dimmit. Jones of Shelby. Wiggs. Jones of Atascosa. Wyatt. Young. Justiss. Kayton.

#### Navs-3.

Ford. Terrell Sullivant. of Cherokee.

# Present-Not Voting.

Stephens.

### Absent.

Fisher. Bedford. Brooks. Grogan. Bryant. Harrison of El Paso. Burns of Walker. Harrison Burns of Waller. of McCulloch. Hefley. Claunch. Hubbard. Dwyer.

Lasseter. Lilley. Long. McCombs. Martin. Mehl. Sanders. Scott. Sherrill. Smith of Wood.

Stevenson.
Strong.
West of Cameron.

Murphy. West of Ca: O'Quinn. Westbrook. Patterson.

#### Absent-Excused.

Adams of Harris. Savage. Bounds.

#### HOUSE BILL NO. 22 WITH SEN-ATE AMENDMENTS.

Mr. Metcalfe called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 22, A bill to be entitled "An Act providing for a closed season in Glasscock county upon quail, doves and pheasants, for a period of three (3) years, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Metcalfe, the House concurred in the Senate amendments by the following vote:

### Yeas-106.

Farrar. Adams of Jasper. Adamson. Ferguson. Adkins. Finn. Akin. Forbes. Albritton. Ford. Fuchs. Alsup. Anderson. Gilbert. Baker. Giles. Beck. Graves. Bond. Greathouse. Boyd. Hanson. Bradley. Hardy. Brice. Harman. Burns of Walker. Herzik. Carpenter. Holder. Caven. Holland. Coltrin. Howsley. Coombes. Hughes. Cox of Lamar. Jackson. Cox of Limestone. Johnson Cunningham. of Dallam. Jones of Shelby. Dale. Daniel. Jones of Atascosa. Dodd. Justiss. Donnell. Kayton. Dowell. Keller. Dunlap. Kennedy. Laird. Elliott. Engelhard. Lee. Farmer Lemens.

Leonard. Sanders. Satterwhite. Lockhart. McCombs. Scott. McDougald. Shelton. McGill. Sherrill. McGregor. Smith of Bastrop. Magee. Sparkman. Metcalfe. Stephens. Steward. Moffett. Moore. Sullivant. Morse. Tarwater. Terrell Munson. of Val Verde. Nicholson. Towery. Olsen. Van Zandt. Patterson. Petsch. Vaughan. Wagstaff. Walker. Pope. Ramsey. Ratliff. Warwick. Ray. Weinert. Reader. West of Corvell. Richardson. Wiggs. Rogers. Wyatt. Young. Rountree.

# Present-Not Voting.

Goodman.

#### Absent.

Barron. Hoskins. Bedford. Hubbard. Brooks. Johnson of Dimmit. Bryant. Burns Lasseter. of McCulloch. Lilley. Long. Martin. Claunch. Davis. Duvall. Mathis. Dwyer. Mehl. Fisher. Murphy. Grogan. O'Quinn. Smith of Wood. Harrison of El Paso. Stevenson. Harrison Strong. of Waller. Terrell Hefley. of Cherokee. Turner. West of Cameron. Hill. Hines. Westbrook. Holloway.

#### Absent—Excused.

Adams of Harris. Savage. Bounds.

# HOUSE BILL NO. 30 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 30, A bill to be entitled "An Act making an emergency appropriation out of the sand, shell and gravel fund of this State to pay certain refunds of the tax collected by the Game, Fish and Oyster Commis-

sion on shell used by the city of Texas City for constructing streets and roads, and declaring an emergency."

The bill was read second time and was passed to engrossment.

# HOUSE BILL NO. 30 ON THIRD READING.

Mrs. Moore moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-103.

Mr. Speaker. Holland. Holloway. Adams of Jasper. Adamson. Hoskins. Howsley. Adkins. Akin. Hughes. Albritton. Jackson. Alsup. Johnson Anderson. of Dallam. Jones of Shelby. Jones of Atascosa. Baker. Beck. Bedford. Justiss. Bond. Kayton. Bradley. Keller. Brice. Kennedy. Burns of Walker. Laird. Carpenter. Lee. Caven. Leonard. Coltrin. Lockhart. Coombes. McCombs. Cox of Lamar. McDougald. Cox of Limestone. McGill. Cunningham. Magee. Dale. Mathis. Davis. Metcalfe. Dowell. Moffett. Dunlap. Moore. Duvall. Munson. Elliott. Nicholson. Farmer. Olsen. Farrar. Petsch. Ferguson. Pope. Ratliff. Finn. Forbes. Ray. Ford. Reader. Richardson. Fuchs. Gilbert. Rogers. Giles. Rountree. Goodman. Satterwhite. Graves. Savage. Greathouse. Scott. Hanson. Shelton. Hardy. Sherrill. Herzik. Smith of Bastrop. Hill. Sparkman. Hines. Steward. Holder. Tarwater.

Terrell Walker.
of Val Verde. Warwick.
Towery. West of Coryell.
Van Zandt. Wiggs.
Vaughan. Young.

#### Nays-2.

Daniel.

Ramsey.

Present-Not Voting.

Boyd. Dodd.

Stephens.

#### Absent.

Barron. Lemens. Lilley. Brooks. Bryant. Long. Burns McGregor. of McCulloch. Martin. Claunch. Mehl. Donnell. Morse. Dwyer. Murphy. Engelhard. O'Quinn. Fisher. Patterson. Grogan. Sanders. Smith of Wood. Harman. Harrison Stevenson. of El Paso. Strong. Harrison Sullivant. of Waller. Terrell Hefley. of Cherokee. Weinert. Hubbard. Johnson Westbrook. of Dimmit. Wyatt. Lasseter.

# Absent—Excused.

Adams of Harris. Bounds.

The Speaker then laid House bill No. 30 before the House, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

### Yeas-103.

Adams of Jasper. Coombes. Cox of Lamar. Cox of Limestone. Adamson. Adkins. Albritton. Cunningham. Alsup. Dale. Anderson. Davis. Dowell. Baker. Barron. Dunlap. Duvall. Beck. Bedford. Farmer. Farrar. Bond. Bradley. Ferguson. Burns Forbes. of McCulloch. Ford. Carpenter. Fuchs. Caven. Gilbert.

Giles.

Coltrin.

Morse. Goodman. Munson. Graves. Greathouse. Murphy. Nicholson. Hanson. Hardy. Olsen. Petsch. Harman. Pope. Herzik. Ratliff. Hill. Ray. Hines. Reader. Holder. Richardson. Holland. Rogers. Holloway. Hoskins. Rountree. Howsley. Sanders. Satterwhite. Hughes. Jackson. Savage. Johnson Scott. of Dallam. Shelton. Johnson Sherrill. Smith of Bastrop. of Dimmit. Jones of Shelby. Sparkman. Jones of Atascosa. Steward. Tarwater. Justiss. Terrell Kayton. of Val Verde. Keller. Kennedy. Towery. Turner. Lee. Van Zandt. Lemens. Wagstaff. Leonard. Lockhart. Walker. McCombs. Warwick. McDougald. Weinert. West of Coryell. West of Cameron. McGill. Magee. Mathis. Wiggs. Moffett. Young. Moore.

# Nays—9.

Akin.
Burns of Walker.
Daniel.
Dodd.
Elliott.

Laird.
Ramsey.
Stephens.
Vaughan.

# Present-Not Voting.

Boyd.

Brice.

### Absent.

Lilley. Brooks. Long. McGregor. Bryant. Claunch. Donnell. Martin. Dwyer. Mehl. Engelhard. Metcalfe. Finn. O'Quinn. Fisher. Patterson. Smith of Wood. Grogan. Stevenson. Harrison of El Paso. Strong. Harrison of Waller. Sullivant. Terrell Hefley. of Cherokee. Hubbard. Westbrook. Lasseter. Wyatt.

Absent—Excused.

Adams of Harris. Bounds.

# HOUSE BILL NO. 71 ON SECOND READING.

(By Unanimous Consent.)
On motion of Mr. McDougald, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 71, A bill to be entitled "An Act validating all the proceedings had and taken in the organization of conservation and reclamation districts organized under the provisions of Chapter 8, Title 128, Revised Statutes of 1925, and Chapter 6, Title 128, Revised Statutes of 1925, under Section 59, Article 16 of the Constitution of Texas; validating the manner in which taxes and assessments for taxation should or shall be made, levied, and collected; validating the issuance of bonds of such districts and the appointment and qualification of officers and supervisors thereof, etc., and declaring an emergency."

Mr. McDougald moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 71 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

# Yeas—107.

Adams of Jasper. Daniel. Adamson. Davis. Adkins. Dodd. Dowell. Akin. Albritton. Dunlap. Alsup. Elliott. Anderson. Engelhard. Baker. Farmer. Beck. Farrar. Bond. Ferguson. Boyd. Forbes. Bradley. Fuchs. Brice. Gilbert. Burns of Walker. Giles Burns Goodman. of McCulloch. Graves. Carpenter. Greathouse. Caven. Hanson. Coltrin. Hardy. Coombes. Herzik. Cox of Lamar. Hill. Cox of Limestone. Hines. Dale. Holder.

Petsch. Holland. Holloway. Pope. Ratliff. Hoskins. Howsley. Ray. Reader. Jackson. Johnson Richardson. of Dallam. Rogers. Johnson Rountree. of Dimmit. Sanders. Jones of Shelby. Jones of Atascosa. Satterwhite. Savage. Scott. Justiss. Keller. Shelton. Kennedy. Sherrill. Smith of Bastrop. Laird. Lee. Sparkman. Lemens. Stephens. Steward. Leonard. Tarwater. Lockhart. McCombs. Terrell of Val Verde. McDougald. McGill. Towery. Van Zandt. Magee. Mathis. Vaughan. Wagstaff. Metcalfe. Moffett. Walker. Warwick. Moore. Morse. Weinert. Munson. West of Coryell. West of Cameron. Murphy. Wiggs. Nicholson. Young. Olsen. Patterson.

#### Absent.

Barron. Hughes. Bedford. Kayton. Brooks. Lasseter. Lilley. Bryant. Long. McGregor. Claunch. Cunningham. Donnell. Martin. Mehl. Duvall. Dwyer. O'Quinn. Ramsey. Smith of Wood. Finn. Fisher. Ford. Stevenson. Grogan. Strong. Sullivant. Harman. Terrell Harrison of El Paso. of Cherokee. Turner. Harrison of Waller. Westbrook. Hefley. Wyatt. Hubbard.

# Absent-Excused.

# Adams of Harris. Bounds.

The Speaker then laid House bill No. 71 before the House, on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

# HOUSE BILL NO. 71 ON THIRD READING.

The Speaker then laid House bill No. 71 before the House, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

### Yeas-104.

Adams of Jasper. Johnson Adamson. of Dimmit. Jones of Shelby. Jones of Atascosa. Adkins. Akin. Albritton. Keller. Alsup. Kennedy. Anderson. Laird. Baker. Lee. Bond. Lemens. Boyd. Leonard. Bradley. Lockhart. Brice. Long. McDougald. Brooks. Brvant. McGill. Burns of Walker. Magee. Burns Mathis. of McCulloch. Metcalfe. Carpenter. Moffett. Caven. Moore. Coltrin. Morse. Coombes. Munson. Cox of Lamar. Cox of Limestone. Murphy. Nicholson. Dale. Olsen. Daniel. Petsch. Davis. Pope. Dodd. Ramsey. Dowell. Ratliff. Duvall. Ray. Elliott. Reader. Richardson. Engelhard. Farmer. Rogers. Farrar. Sanders. Ferguson. Forbes. Satterwhite. Savage. Ford. Scott. Shelton. Fuchs. Gilbert. Sherrill. Smith of Bastrop. Giles. Goodman. Sparkman. Graves. Stephens. Greathouse. Steward. Tarwater. Hanson. Terrell Harman. of Val Verde. Herzik. Hill. Towery. Van Zandt. Hines. Holloway. Wagstaff. Walker. Hoskins. Howsley. Warwick. Weinert. Hughes. West of Corvell. Jackson. West of Cameron. Johnson

Wiggs.

of Dallam.

#### Absent.

Barron. Kayton. Beck. Lasseter. Bedford. Lilley. McCombs. Claunch. Cunningham. McGregor. Donnell. Martin. Dunlap. Mehl. O'Quinn. Dwyer. Finn. Patterson. Rountree. Fisher. Smith of Wood. Grogan. Hardy. Stevenson. Harrison Strong. of El Paso. Sullivant. Harrison Terrell of Cherokee. of Waller. Turner. Hefley. Holder. Vaughan. Westbrook. Holland. Hubbard. Wyatt. Justiss. Young.

#### Absent—Excused.

Adams of Harris. Bounds.

#### HOUSE BILL NO. 28 WITH SEN-ATE AMENDMENTS.

Mr. Caven called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 28, A bill to be entitled "An Act to repeal Chapter 80 of the General and Special Laws of the State of Texas, enacted in 1931, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Caven, the House concurred in the Senate amendments by the following vote:

#### Yeas-104.

Adams of Jasper. Coltrin. Adamson. Coombes. Adkins. Cox of Lamar. Cox of Limestone. Akin. Albritton. Dale. Alsup. Daniel. Anderson. Davis. Baker. Dodd. Bond. Dowell. Boyd. Duvall. Bradley. Elliott. Brice. Engelhard. Brooks. Farmer. Bryant. Farrar. Burns of Walker. Ferguson. Forbes. Burns of McCulloch. Ford. Carpenter. Fuchs. Caven. Gilbert.

Giles. Morse. Goodman. Munson. Graves. Murphy. Greathouse. Nicholson. Hanson. OlsenHarman. Petsch Herzik. Pope. Ramsey. Hill. Ratliff. Hines. Holloway. Ray. Reader. Hoskins. Howsley. Richardson. Hughes. Jackson. Rogers. Sanders Johnson Satterwhite. of Dallam. Savage. Johnson Scott. of Dimmit. Shelton. Jones of Shelby. Sherrill. Jones of Atascosa. Smith of Bastrop. Keller. Sparkman. Kennedy. Stephens. Laird. Steward. Lee. Tarwater. Lemens. Terrell Leonard. of Val Verde. Lockhart. Towery. Long. McDougald. Van Zandt. Wagstaff. McGill. Walker. Magee. Warwick. Mathis. Weinert. Metcalfe. West of Coryell. Moffett. West of Cameron. Moore. Wiggs.

#### Absent.

Barron. Kayton. Beck. Lasseter. Bedford. Lilley. Claunch. McCombs. McGregor. Cunningham. Donnell. Martin. Dunlap. Mehl. Dwyer. O'Quinn. Finn. Patterson. Rountree. Smith of Wood. Fisher. Grogan. Hardy. Stevenson. Harrison Strong. of El Paso. Sullivant. Harrison Terrellof Waller. of Cherokee. Hefley. Turner. Holder. Vaughan. Holland. Westbrook. Hubbard. Wyatt. Young. Justiss.

Absent—Excused.

Adams of Harris. Bounds.

# HOUSE BILL NO. 26 WITH SEN-ATE AMENDMENTS.

Mr. Alsup called up from the Speaker's table, with Senate amend-

ments, for consideration of the amendments,

H. B. No. 26, A bill to be entitled "An Act to prohibit the use of steel traps or any other mechanical device for the taking of fur-bearing animals in this State; providing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Alsup, the House concurred in the Senate amendments by the following vote:

#### Yeas-104.

Adams of Jasper. Howslev. Hughes. Adamson. Adkins. Jackson. Akin. Johnson Albritton. of Dallam. Johnson Alsup. Anderson. of Dimmit. Jones of Shelby. Baker. Bond. Jones of Atascosa. Boyd. Justiss. Bradley. Kayton. Keller. Brice. Brooks. Kennedy. Bryant. Laird. Burns of Walker. Lee. Burns Lemens. of McCulloch. Leonard. Carpenter. Lockhart. Caven. McCombs. Coltrin. McGill. Coombes. Magee. Cox of Lamar. Mathis. Cox of Limestone. Metcalfe. Dale. Moffett. Daniel. Munson. Davis. Murphy. Dodd. Nicholson. Olsen. Dowell. Duvall. Petsch. Elliott. Pope. Farrar. Ramsey. Ferguson. Ratliff. Forbes. Ray. Reader. Ford. Fuchs. Richardson. Rogers. Gilbert. Giles. Rountree. Sanders. Graves. Satterwhite. Greathouse. Hanson. Savage. Hardy. Scott. Harman. Shelton. Herzik. Sherrill. Hill. Smith of Bastrop. Hines. Sparkman. Holder. Stephens. Holland. Steward. Holloway. Tarwater. Hoskins.

Terrell Walker.
of Val Verde. Warwick.
Towery. Weinert.
Turner. West of Coryell.
Van Zandt. Wiggs.

#### Present—Not Voting.

Farmer.

Goodman.

### Absent.

Barron. Long. McDougald. Beck. Bedford. McGregor. Claunch. Martin. Cunningham. Mehl. Donnell. Moore. Morse. Dunlap. O'Quinn. Dwyer. Engelhard. Patterson. Smith of Wood. Finn. Fisher. Stevenson. Grogan. Strong. Harrison Sullivant. of El Paso. Terrell of Cherokee. Harrison Wagstaff. of Waller. West of Cameron. Hefley. Hubbard. Westbrook. Lasseter. Wyatt. Lilley. Young.

#### Absent-Excused.

Adams of Harris. Bounds.

# BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 21, "An Act amending Article 6954, Chapter 6, Title 121 of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5, of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8, of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, and furthermore amended in Chapter 313 of the Acts of the Regular Session

of the Forty-second Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the county of Reagan, and declaring an emergency."

H. B. No. 34, "An Act repealing Senate bill No. 56, Chapter 78, page 242, of the General and Special Laws passed at the Fifth Called Session of the Forty-first Legislature of the State of Texas, 1930."

H. B. No. 38, "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the counties of Jasper and Newton, State of Texas, for a period of three years from and after the passage of this act; providing a penalty therefor, and declaring an emergency."

H. B. No. 39, "An Act providing for the open season on squirrels in Jasper and Newton counties; providing a penalty, and declaring an emergency."

### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, September 8, 1932. Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 18, A bill to be entitled "An Act to facilitate the efforts of water control and improvement districts (having powers under Section 59 of Article XVL of the Constitution of Texas, controlling works selfliquidating in character, and being eligible for relief under the provisions of the Act of Congress known as the 'Emergency Relief and Construction Act of 1932') to procure loans from the Reconstruction Finance Corporation; or, from other sources without distinction as to the facilities being self-liquidating. Providing the manner in which such loans may be procured, how evidenced and how secured and paid. Also, declaring an emergency.'

H. B. No. 28, A bill to be entitled "An Act to repeal Chapter 80 of the General and Special Laws of the State of Texas, enacted in 1931, and declaring an emergency," with amendment.

H. B. No. 26, A bill to be entitled Howsley.

"An Act to prohibit the use of steel traps or any other mechanical device for the taking of fur-bearing animals in this State; providing a penalty, and declaring an emergency," with amendment.

Respectfully,

BOB BARKER, Secretary of the Senate.

#### SENATE BILL NO. 11 ON SEC-OND READING.

Mr. Carpenter moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 11 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-86.

Adams of Jasper. Jackson. Adamson. Johnson Adkins. of Dallam. Albritton. Johnson Alsup. of Dimmit. Anderson. Jones of Shelby. Baker. Jones of Atascosa. Barron. Justiss. Beck. Keller. Bond. Kennedy. Boyd. Laird. Bradley. Lee. Brice. Lemens. Brooks. Leonard. Bryant. Lockhart. Burns of Walker. Long McGill. Carpenter. Caven. McGregor. Coltrin. Mathis. Cox of Lamar. Moffett. Cox of Limestone. Moore. Daniel. Morse. Davis. Munson. Dowell. Murphy. Duvall. Nicholson. Farmer. Petsch. Forbes. Ramsey. Ford. Ratliff. Fuchs. Reader. Gilbert. Richardson. Giles. Rogers. Goodman. Sanders. Satterwhite. Hanson. Hardy. Savage. Herzik. Shelton. Hill. Smith of Bastrop. Sparkman. Tarwater. Holder. Holland. Holloway. Terrell Hoskins. of Cherokee. Terrell of Val Verde. Van Zandt.

Weinert.

Wagstaff. Walker.

West of Coryell. Wiggs.

Warwick.

Nays-19.

Akin. Burns of McCulloch. Coombes. Dodd. Farrar. Ferguson. Graves. Greathouse. Hines.

Hughes. Kayton. McCombs. Ray. Scott.

Sherrill. Stephens. Steward. Towery. Vaughan.

### Absent.

Bedford. Claunch. Cunningham. Dale. Donnell. Dunlap. Dwyer. Elliott. Engelhard. Finn. Fisher. Grogan. Harman. Harrison

Lilley. McDougald. Magee. Martin. Mehl. Metcalfe. Olsen. O'Quinn. Patterson. Pope. Rountree. Smith of Wood. Stevenson. Strong. Sullivant.

of El Paso. Harrison of Waller. Hefley. Hubbard.

Lasseter.

Turner. West of Cameron. Westbrook.

Wyatt. Young.

#### Absent—Excused.

Adams of Harris. Bounds.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 11, Relative to granting relief to the West Columbia Independent School District of Brazoria county, etc.

The bill was read second time.

Mr. Scott offered the following amendment to the bill:

Amend Senate bill No. 11 by changing the words and figures from "seventeen thousand (\$17,000) dollars" to "six thousand (\$6,000) dol-lars."

Mr. Carpenter moved to table the amendment.

Yeas and nays were demanded, and l the motion to table prevailed by the Anderson. following vote:

#### Yeas-56.

Justiss.

Adkins. Albritton. Alsup. Bedford. Bond. Bradley. Bryant. Burns of Walker. Carpenter. Caven. Coltrin. Cox of Lamar. Daniel. Donnell. Engelhard. Farmer. Finn. Forbes. Gilbert.

Keller. Laird. Leonard. Long. McDougald. McGill. McGregor. Magee. Mathis. Metcalfe. Moffett. Moore. Morse. Munson. Nicholson. Olsen. Ramsey. Reader. Rogers. Smith of Bastrop.

Jones of Atascosa.

Hill. Holder. Holland. Hoskins. Howsley. Jackson. Johnson of Dimmit.

Giles.

Herzik.

Smith of Wood. Sparkman. Terrell of Cherokee. Turner. Wagstaff. Weinert.

# Nays-45.

Johnson

Adams of Jasper. Akin. Baker. Barron. Boyd. Brooks. Burns of McCulloch. Coombes. Cox of Limestone. Davis. Dodd.

of Dallam. Kayton. Kennedy. Lemens. Lilley. Lockhart. McCombs. Petsch. Ratliff. Ray. Rountree. Scott. Stephens. Steward. Sullivant. Tarwater. Towery.

Ford. Fuchs. Goodman. Graves. Greathouse. Hines. Hughes.

Duvall.

Elliott.

Farrar.

Ferguson.

Walker. Warwick. West of Coryell. Wiggs.

Van Zandt.

Vaughan.

### Present-Not Voting.

Cunningham.

Grogan.

#### Absent.

Adamson. Beck.

Brice. Claunch. Dale.

Mehl. Dowell. Murphy. Dunlap. O'Quinn. Dwyer. Fisher. Patterson. Pope. Hanson. Richardson. Hardy. Harman. Sanders. Satterwhite. Harrison of El Paso. Shelton. Harrison Sherrill. of Waller. Stevenson. Hefley. Strong. Terrell Holloway. of Val Verde. Hubbard. West of Cameron. Jones of Shelby. Westbrook. Lasseter. Lee. Wyatt. Martin. Young.

#### Absent—Excused.

Adams of Harris. Savage. Bounds.

Mr. Daniel offered the following amendment to the bill:

Amend Senate bill No. 11 by striking out the figures "\$17,000" whereever they occur and insert in lieu thereof the figures "\$13,775."

#### DANIEL, PETSCH.

Mr. Moffett moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, it was adopted.

Senate bill No. 11 was then passed to third reading by the following vote:

# Yeas-70.

Adams of Jasper. Fuchs. Adkins. Gilbert. Albritton. Giles. Alsup. Goodman. Bedford. Grogan. Bond. Herzik. Boyd. Hill. Bradley. Holder. Brooks. Holland. Bryant. Hoskins. Burns of Walker. Howsley. Coltrin. Johnson Cox of Lamar. of Dallam. Cox of Limestone. Johnson Cunningham. of Dimmit. Davis. Justiss. Donnell. Keller. Dunlap. Duvall. Kennedy. Laird. Engelhard. Leonard. Farmer. McDougald. Finn. McGill. Forbes. McGregor.

Richardson. Magee. Mathis. Rogers. Metcalfe. Savage. Smith of Bastrop. Smith of Wood. Moffett. Moore. Morse. Terrell of Cherokee. Munson. Towery. Murphy. Olsen. Turner. Patterson. Wagstaff. Weinert. Petsch. Pope. West of Cameron. Wiggs. Ramsey. Reader.

#### Nays-37.

Adamson. Kayton. Lilley. Akin. Baker. Lockhart. McCombs. Barron. Burns Nicholson. of McCulloch. O'Quinn. Caven. Ratliff. Coombes. Ray. Dodd. Scott. Elliott. Sparkman. Farrar. Stephens. Ferguson. Steward. Ford. Sullivant. Graves. Tarwater. Van Zandt. Greathouse. Hines. Vaughan. Walker. Holloway. Hughes. Warwick. Jackson. West of Coryell.

# Present-Not Voting.

Anderson.

Jones of Atascosa.

#### Absent.

Beck. Lasseter. Brice. Lee. Carpenter. Lemens. Long. Claunch. Dale. Martin. Daniel. Mehl. Dowell. Rountree. Dwyer. Sanders. Fisher. Satterwhite. Hanson. Shelton. Hardy. Sherrill. Harman. Stevenson. Harrison Strong. of El Paso. Terrell Harrison of Val Verde. of Waller. Westbrook. Hefley. Wyatt. Hubbard Young. Jones of Shelby.

## Absent-Excused.

Adams of Harris. Bounds.

### SENATE BILL NO. 11 ON THIRD READING.

The Speaker then laid Senate bill No. 11 before the House, on its third reading and final passage.

The bill was read third time.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 11 was then passed by the following vote:

### Yeas-75.

Adams of Jasper. Johnson of Dimmit. Adkins. Justiss. Albritton. Alsup. Keller. Kennedy. Beck. Bedford. Laird. Bond. Lemens. Boyd. Leonard. Bradley. Long. McDougald. Bryant. Burns of Walker. McGill. Carpenter. McGregor. Coltrin. Magee. Cox of Lamar. Mathis. Cox of Limestone. Metcalfe. Moffett. Cunningham. Daniel. Moore. Davis. Morse. Donnell. Munson. Dunlap. Murphy. Duvail. Olsen. Engelhard. Petsch. Farmer. Pope. Finn. Ramsev. Forbes. Reader. Richardson. Fuchs. Gilbert. Rogers. Giles. Sanders. Goodman. Savage. Smith of Wood. Hanson. Herzik. Sparkman. Hill. Terrell Holder. of Cherokee. Holland. Towery. Holloway. Turner. Hoskins. Wagstaff. Weinert. Howsley. Johnson West of Cameron. of Dallam. Wiggs.

# Nays—34.

Adamson. Farrar. Akin. Ferguson. Baker. Ford. Barron. Graves. Greathouse. Burns of McCulloch. Hines. Coombes. Hughes. Dodd. Jackson. Kayton. Elliott.

Lilley. Steward. Lockhart. Sullivant. McCombs. Tarwater. Nicholson. Van Zandt. O'Quinn. Vaughan. Ratliff. Walker. Ray. Warwick. Scott. West of Coryell. Stephens.

#### Present-Not Voting.

Anderson. Grogan.

Jones of Atascosa.

#### Absent.

Brice. Lasseter. Brooks. Lee. Caven. Martin. Claunch. Mehl. Dale. Patterson. Dowell. Rountree. Dwyer. Satterwhite. Fisher. Shelton. Hardy. Sherrill. Harman. Smith of Bastrop. Harrison Stevenson. of El Paso. Strong. Harrison Terrell of Waller. of Val Verde.

Hefley. Westbrook. Hubbard. Wyatt. Jones of Shelby. Young.

Absent—Excused.

Adams of Harris. Bounds.

#### MESSAGES FROM THE SENATE.

Senate Chamber, Austin, Texas, September 8, 1932. Hon, Fred H. Minor, Speaker of the

House of Representatives. Sir: I am directed by the Senate

to inform the House that the Senate has passed

S. B. No. 8, A bill to be entitled "An Act authorizing and empowering building and loan associations, savings and loan associations, cooperative banks, homestead associations, insurance companies, and savings banks, organized or incorporated under the laws of the State of Texas, to subscribe for, and invest their funds in, the stock of the Federal Home Loan Bank, of which it may be eligible to become a member, in compliance with the provisions of the Act of Congress known and cited as the 'Federal Home Loan Bank Act,' and declaring an emergency."

S. B. No. 28, A bill to be entitled "An Act validating all road bonds

heretofore voted by any political subdivision or road district under Section 52 of Article 3 of the Constitution, and which bonds have not been issued and sold; authorizing the commissioners court of the county including such subdivision or road district to pass all orders necessary in respect of the sale of such road bonds and to levy ad valorem taxes on all taxable property in such subdivision or district in payment thereof, etc., and declaring an emergency."

S. B. No. 17, A bill to be entitled "An Act to provide: (a) To confer on the State of Texas the right to appeal from awards made by commissioners to appraise damages, and/or judgment of courts, in condemnation proceedings; (b) Providing the conditions upon which the State may have the writ of possession pending final determination of proceedings in condemnation, and making adequate provision to protect the rights of private persons and their property concerning the prompt payment of final awards in condemnation proceeding; (c) Making provision to the end that there may be clarity, dispatch, economy and effectiveness in the administration of such of the State's business as requires the exercise of the power of eminent domain; (d) Providing for prior special deposits of money to be made to protect prompt payment of final judgment in condemnation, where the writ of possession is sought pending appeals, and fixing penalties for the violation of the terms of this act which relates to special deposits; (e) Providing that the State shall not be required to give bond for appeal or bond for costs pending appeals in condemnation proceedings; (f) Conferring upon counties, cities and certain other of the political subdivisions of the State, which are distinct corporate governmental agencies, and which by the laws of their creation have the right to exercise the power of eminent domain, the same rights, duties and powers, and under the same conditions, as by this act are provided for the State; (g) Repeal-ing all parts of laws in conflict with this act, and declaring an emer-

S. B. No. 19, A bill to be entitled "An Act repealing Section 16 of Chapter 73 of the Special Laws passed by the Thirty-sixth Legisla- House bills Nos. 72, 73 and 74.

ture at its Third Called Session, the same being an act creating the Spearman Independent School District in Hansford county, said Section 16 relating to the beginning of the fiscal year in connection with the levying, assessing and collection of taxes, and declaring an emergency."

> Respectfully, BOB BARKER, Secretary of the Senate.

### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 17, to the Committee on Judiciary.

Senate bill No. 8, to the Committee on Insurance.

Senate bill No. 18, to the Committee on Conservation and Reclamation. Senate bill No. 19, to the Commit-

teen on Education.

Senate bill No. 28, to the Committee on Highways and Motor Traffic.

### ADJOURNMENT.

Mr. Morse moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Satterwhite moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Satterwhite prevailed, and the House, accordingly, at 5 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE RE-PORTS.

The following committees have today filed favorable reports on bills, as follows:

Conservation and Reclamation: House bill No. 71 and Senate bill No. 16.

Appropriations: Senate bills Nos. 11 and 12.

Highways and Motor Traffic: House bills Nos. 43, 60 and 75.

Municipal and Private Corporations: House bill No. 56.

Public Lands and Buildings:

Taxation: Revenue and House bills Nos. 57 and 65.

Senate bill No. 17. Judiciary:

The Committee on Revenue and Taxation filed an adverse report with a minority favorable report on House bill No. 52.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room. Austin, Texas, September 8, 1932. Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills, to whom was referred

H. B. No. 48, A bill to be entitled "An Act providing for the amount of bond required to be given by county tax collectors; providing for the payment of premium on bonds for special district taxes; and providing for remittances of county and State taxes by county tax collectors, and special reports by tax collectors and county depositories to be furnished upon the request of the Comptroller or the commissioners court as to funds in their hands and special remittances thereof to safeguard funds in their hands and protect their bondsmen; providing penalties; providing this act shall be cumulative of all other laws upon the same subject, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room, Austin, Texas, September 8, 1932. Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills, to whom was referred

H. B. No. 71, A bill to be entitled "An Act validating all the proceedings had and taken in the organization of conservation and reclamation districts organized under the provisions of Chapter 8, Title 128, Revised Statutes of 1925, and Chapter 6, Title 128, Revised Statutes of 1925, under Section 59, Article 16, of the Constitution of Texas; validating the manner in which taxes and assessments for taxation should or shall be made, levied and collected; validating the issuance of bonds of such districts and the appointment and qualifications of offi-cers and supervisors thereof; authorizing the submission of the sev-

eral purposes for which bonds may be issued as a single proposition; and providing that bonds to be retired and refunded may have been issued by a navigation district embracing the same territory; and validating all bonds which have heretofore been voted as a single proposition for the several purposes authorized herein when said bonds have been examined and approved by the Attorney General of the State of Texas, and declaring an emergency,"

Have carefully examined same and

find it correctly engrossed.

JUSTISS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room, Austin, Texas, September 8, 1932. Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled

Bills, to whom was referred H. B. No. 21, "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5 of the Acts of the Regular Session of the Forty-first Legislature of Texas, and as further amended in Chapter 71 of the Acts of the First Called Session of the Forty-first Legislature of Texas, the latter being House bill No. 120, passed by the First Called Session of the Forty-first Legislature, and further amended in Chapter 8 of the Acts of the Third Called Session of the Forty-first Legislature, Senate bill No. 22, and furthermore amended in Chapter 313 of the Acts of the Regular Session of the Forty-second Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the county of Reagan, and declaring an emergency,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, September 8, 1932. Hon. Fred H. Minor, Speaker of the House of Representatives. Sir: Your Committee on Enrolled Bills, to whom was referred H. B. No. 34, "An Act repealing

Senate bill No. 56, Chapter 78, page 242, of the General and Special Laws passed at the Fifth Called Session of the Forty-first Legislature of the State of Texas, 1930, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, September 8, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 38, "An Act to prohibit the hunting, trapping, ensnaring or killing of any wild deer, buck, doe or fawn within the limits of the counties of Jasper and Newton, State of Texas, for a period of three (3) years from and after the passage of this act; providing a penalty therefor, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room, Austin, Texas, September 8, 1932.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 39, "An Act providing for the open season on squirrels in Jasper and Newton counties; providing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

#### SEVENTH DAY.

(Friday, September 9, 1932.)

The House met at 9:30 o'clock a.m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.
Adams of Harris.
Adams of Jasper.
Adamson.
Adkins.
Akin.
Albritton.
Alsup.
Anderson.
Baker.
Barron.
Beck.

Bedford. Boyd. Bradley. Brice. Brooks. Bryant. Burns of Walker. Burns of McCulloch. Carpenter. Caven. Coltrin. Coombes. Cox of Lamar. Cox of Limestone. Cunningham. Dale. Daniel. Davis. Dodd. Donnell. Dowell. Dunlap. Duvall. Elliott. Engelhard. Farmer. Farrar. Ferguson. Finn. Forbes. Ford. Fuchs. Gilbert. Giles. Goodman. Graves. Greathouse. Grogan. Hanson. Hardy. Harman. Harrison of El Paso. Hefley. Herzik. Hill. Hines. Holder. Holland. Holloway. Hoskins. Howsley. Hughes. Jackson. Johnson of Dallam. Johnson of Dimmit. Jones of Shelby. Jones of Atascosa. Justiss. Kayton. Keller. Kennedy. Laird.

Lasseter. Lee. Lemens. Leonard. Lilley. Lockhart. Long. McCombs. McDougald. McGill. McGregor. Magee. Martin. Mathis. Mehl. Metcalfe. Moffett. Moore. Morse. Munson. Murphy. Nicholson. Olsen. O'Quinn. Patterson. Petsch. Pope. Ramsey. Ratliff. Ray. Reader. Richardson. Rogers. Rountree. Sanders. Satterwhite. Savage. Scott. Shelton. Sherrill. Smith of Bastrop. Smith of Wood. Sparkman. Stephens. Steward. Sullivant. Tarwater. Terrell of Cherokee. Terrell of Val Verde. Towery. Turner. Van Zandt. Vaughan. Wagstaff. Walker. Warwick. Weinert. West of Corvell. West of Cameron.  ${f Westbrook.}$ Wiggs. Wyatt.

Young.